

Article - Natural Resources

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§5–901.

(a) In this subtitle the following terms have the meanings indicated.

(b) “Annual program” means a schedule of acquisition or development for one fiscal year.

(c) (1) “Capital renewal”, except as provided in subsection (l)(5) of this section, means renewal of a capital project for which an improvement is necessary to ensure the physical integrity of:

- (i) A facility;
- (ii) Fixed equipment; or
- (iii) An existing physical improvement.

(2) “Capital renewal” does not include:

(i) Preventive, routine, or operational maintenance projects instituted to ensure:

- 1. The aesthetic appeal of a project;
- 2. The general daily upkeep of a project; or
- 3. The maintenance of grounds surrounding a project;

or

(ii) Preventive, routine, or operational road maintenance projects except for those park or recreation area road maintenance projects identified in the Governor’s operating budget or the consolidated capital budget.

(d) “Funds available under this program” means the proceeds of Program Open Space and the annual apportionment of allocation of the Land and Water Conservation Fund to the State by the United States Department of Interior, National Park Service.

(e) “Governmental agency” means the Department of Recreation and Parks of a local governing body which currently provides or is charged by the local governing body with providing public outdoor recreation and open space areas.

(f) “Land trust” has the meaning stated in § 3-2A-01(d) of this article.

(g) “Local governing body” means the Maryland-National Capital Park and Planning Commission and the governing body of any county or Baltimore City.

(h) “Local projects” means acquisition or development of projects sponsored by the local governing bodies or their units, and in the case of Baltimore City it also means operation and maintenance of projects as provided in subsection (l) of this section.

(i) “Municipal corporation” means the incorporated towns of the State as defined in Article XI-E of the Maryland Constitution.

(j) “Subdivision” means one of the 23 counties of the State or Baltimore City.

(k) “Targeted areas” means those resource areas facing the most intense or immediate development pressure as identified and recommended for State acquisition efforts under the Maryland Land Preservation and Recreation Plan.

(l) “Total project cost” means every direct cost attributable to a particular project, including the cost of:

- (1) Materials;
- (2) Equipment;
- (3) Other capital expenditures;

(4) Acquisition of land including any incidental cost relating to acquisition of interests in real property, such as the cost of surveys, appraisals, title search, and legal fees, if the total projects which are reimbursed for incidental costs are limited to the fee schedules approved by the Board of Public Works for the incidental costs, which schedules shall be contained in regulations adopted by the Department of Natural Resources, with the approval of the Board of Public Works, in accordance with Title 10, Subtitle 1 of the State Government Article; or

(5) For Baltimore City operation and maintenance of any recreational facilities owned and operated by the City, if the amount of the funds

expended does not exceed the proportion of the allocation to Baltimore City which is derived from current revenues, as distinguished from proceeds of bond issues.

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